THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.9831 of 2007

Dated: 01-05-2007

Between:

B. Krishna.

..... PETITIONER

AND

The District Collector, Kurnool District, and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.9831 of 2007

ORDER:

The petitioner filed instant writ petition seeking a writ of Mandamus directing the respondent not to evict him from the house bearing door No.1/155 situated at Kodumuru, constructed on land admeasuring Ac.0.03 without following due process of Law and for further direction to second respondent, the Mandal Revenue Officer (MRO) to grant patta duly considering his application dated 20.02.2003.

The writ petition is based on two allegations. First that the subject land has been in possession of the petitioner's family from the time of ancestors, where he constructed thatched house and paying tax for the same. Secondly due to local politics, third respondent is trying to dispossess the petitioner even while his application for patta is pending.

After hearing the learned counsel for the petitioner and perusing the available material, this Court is convinced that the writ petition is filed on mere apprehension. However, this Court observes that if the petitioner is in possession of the land as alleged, MRO or the Gram Panchayat cannot dispossess him without due process of Law. The petitioner's application dated 20.02.2003 shall be disposed of by second respondent within a period of four weeks from the date of receipt of a copy of this order.

The writ petition, with the above observations, is accordingly dismissed. No costs.

(**V.V.S.RAO, J**)

01st May, 2007
ghn